CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO.264

Heard at Montreal, Tuesday, February 9th, 1971

Concerning

CANADIAN PACIFIC RAILWAY COMPANY

and

BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS, FREIGHT HANDLERS,
EXPRESS AND STATION EMPLOYEES

DISPUTE:

Concerning claim of 24 Montreal Wharf employees for two hours pay at the pro rata rate.

JOINT STATEMENT OF ISSUE:

As a result of an I.L.A. work stoppage on April 30, 1970, the claimants in this dispute were released from duty while employees junior to them in seniority were retained in service.

The Union contends that Article 4 (e) of the Collective Agreement was violated as a result of this action. The Company contends that this matter falls within the provisions of Article 1 (g) of the Collective Agreement and have declined payment of the claim.

FOR THE EMPLOYEES:	FOR THE COMPANY:
(SGD.) W. T. SWAIN	(SGD.) E. L. GUERTIN
GENERAL CHAIRMAN	REGIONAL MANAGER, O. & M., A.R.

There appeared on behalf of the Company:

- D. Cardi - Labour Relations Officer, C.P.R., Montreal
- C. E. Moore - Supervisor Labour Relations, C.P.R., Montreal
- R. O'Meara - Labour Relations Assistant, C.P.R., Montreal
- W. G. Hammond - Dock Superintendent, Montreal Wharf, C.P.R. Montreal

And on behalf of the Brotherhood:

- W. T. Swain - General Chairman, B.R.A.C., Montreal
- D. Herbatuk - Vice General Chairman, B.R.A.C., Montreal
- P. Pauze - Local Chairman, B.R.A.C., Montreal
- R. Cote - Local Chairman, " , "

AWARD OF THE ARBITRATOR

The circumstances of this case are in all material respects the same as those dealt with in Case No. 263, and the governing provisions of the collective agreement are identical. For the reasons set out in that award, this grievance must be dismissed.

J. F. W. WEATHERILL
ARBITRATOR